

HONOURABLE SRI JUSTICE GOPALAKRISHNA TAMADA.

WRIT PETITION NO:33454 OF 1998

Dated: 21-03-2007

Between

Shaik Pyari Bee w/o Mohammed

..Petitioner

and

1.The Mandal Revenue Officer, Chitvel,

Cuddapah District.

...Respondent

HONOURABLE SRI JUSTICE GOPALAKRISHNA TAMADA

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ORDER:

This writ petition is filed by the petitioner seeking for a declaration that the action of the respondent in interfering with the possession and enjoyment of Ac.2.99 cents in S.No:382, Ac.0.87 cents in S.No:383 and Ac.5.13 cents in S.No:377 of Cherlopalle village in Chitvel mandal of Cuddapah District without initiating any proceedings either under Land Acquisition Act or under any other laws is illegal and arbitrary and to direct the respondent not to interfere with the possession of the petitioner on the said lands.

Heard the learned counsel.

While admitting the writ petition, this Court has directed the respondent not to interfere with the possession and enjoyment of the petitioner over the lands in question.

It is the case of the petitioner that she purchased the land in question from its rightful owner under registered sale deeds dated:26.9.1986, 26.9.1989 and 11.1.1995 for a valuable consideration of Rs.20,600/- and since the date of the purchase, she has been in possession and enjoyment of the same. The respondent is proposing to acquire the land of the petitioner without following due process of law on the pretext of laying road. Hence the present writ petition is filed.

Despite the notices served on the respondents, he has not chosen to file any counter.

The relief sought for in this writ petition is very limited, which can be considered even without expressing any opinion on the merits of the case. Therefore, I feel it a fit case wherein the respondent can be directed not to dispossess the petitioner from out of the lands in question, without following due process of law.

Accordingly, this writ petition is allowed. No order as to costs.

(Justice Gopalakrishna Tamada)

21st MARCH, 2007

GURC

HONOURABLE SRI JUSTICE GOPALAKRISHNA TAMADA

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21ST MARCH, 2007

